

MAR 13 2013

SENATE RESOLUTION

REQUESTING THE DIRECTOR OF HEALTH TO RECONVENE THE CLEAN AND
SOBER HOMES AND HALFWAY HOUSES TASK FORCE.

1 WHEREAS, clean and sober homes provide a means for persons
2 to return to the community by providing support in a home-like
3 environment without the structure of a special treatment
4 facility or therapeutic living program, both of which require
5 licensure; and
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7 WHEREAS, clean and sober homes are located in communities
8 through the State and provide housing for substance abuse and
9 mental health clients transitioning from a treatment setting to
10 life back in the community; and
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12 WHEREAS, halfway houses provide a stable living environment
13 for criminal offenders who are released under the supervision of
14 the Department of Public Safety, probationers under the
15 supervision of the Judiciary's Adult Client Services Branch, and
16 parolees under the supervision of the Hawaii Paroling Authority;
17 and
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19 WHEREAS, in 2012, the Clean and Sober Homes and Halfway
20 Houses Task Force was convened by the interim Director of Health
21 in response to and in anticipation of the need for housing of
22 probationers and parolees as a result of Act 139, Session Laws
23 of Hawaii 2012, and Act 140, Session Laws of Hawaii 2012, both
24 part of the Justice Reinvestment Initiative; and
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26 WHEREAS, the Clean and Sober Homes and Halfway Houses Task
27 Force examined concerns about housing for individuals
28 transitioning from institutionalization or treatment settings to
29 independent living within the context of public health and
30 safety; federal fair housing provisions; agency referral and
31 placement criteria and processes; county conditional use permit
32 applications and review criteria; and the registration and
33 monitoring of clean and sober homes and halfway houses; and
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35 WHEREAS, at the conclusion of the Clean and Sober Homes and
36 Halfway Houses Task Force's scheduled meetings, members



1 recognized that despite their hard work and diligence, there
2 were a number of major issues that required further discussion;
3 now, therefore,
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5 BE IT RESOLVED by the Senate of the Twenty-seventh
6 Legislature of the State of Hawaii, Regular Session of 2013,
7 that the Director of Health is requested to reconvene the Clean
8 and Sober Homes and Halfway Houses Task Force; and
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10 BE IT FURTHER RESOLVED that to ensure continuity, the
11 Director of Health is requested, to the extent practical, to
12 include in the Clean and Sober Homes and Halfway Houses Task
13 Force representatives from the same entities that participated
14 in the original task force, such as:
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- 16 (1) Members of the Senate, as selected by the President of
17 the Senate;
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- 19 (2) Members of the House of Representatives, as selected
20 by the Speaker of the House of Representatives;
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- 22 (3) Representatives from the Judiciary's Adult Client
23 Services Branch;
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- 25 (4) Representatives from the Department of the Attorney
26 General;
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- 28 (5) Representatives from the Department of Health;
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- 30 (6) Representatives from the Department of Human Services;
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- 32 (7) Representatives from the Department of Public Safety;
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- 34 (8) Representatives from the Hawaii Paroling Authority;
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- 36 (9) Representatives from each county's planning
37 department;
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- 39 (10) Homeless advocates;
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- 41 (11) Clean and sober homes providers; and
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- 43 (12) Halfway house providers; and
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1 BE IT FURTHER RESOLVED that the Clean and Sober Homes and
2 Halfway Houses Task Force is requested to discuss and resolve
3 the following outstanding issues:
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- 5 (1) Clarifying the definitions of the terms "registration"
6 and "monitoring" as they relate to clean and sober
7 homes and halfway houses;
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- 9 (2) Determining appropriate sections of the Hawaii Revised
10 Statutes in which to insert the definition of terms
11 for which the task force has previously reached
12 agreement, including the terms "clean and sober home"
13 and "community home";
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- 15 (3) Clarifying the voluntary registry function and
16 determining its applicability beyond alcohol- and
17 drug-free housing for substance abusers and criminal
18 offenders;
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- 20 (4) Determining what department or agency should be
21 responsible for receiving, compiling, and following up
22 on complaints received about clean and sober homes and
23 halfway houses;
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- 25 (5) Drafting a budget that includes staffing and operating
26 costs to be incurred for start-up and ongoing expenses
27 for operation of the voluntary registry;
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- 29 (6) Developing criteria for policies, procedures, and
30 guidelines for operation of the voluntary registry;
31 and
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- 33 (7) Assessing the financial impact of imposing
34 registration and monitoring requirements that may
35 increase costs to clean and sober homes and halfway
36 house residents who have limited resources; and
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38 BE IT FURTHER RESOLVED that the Clean and Sober Homes and
39 Halfway Houses Task Force is requested to submit its findings
40 and recommendations, including any proposed legislation, to the
41 Legislature no later than twenty days prior to the convening of
42 the Regular Session of 2014; and
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1 BE IT FURTHER RESOLVED that certified copies of this
2 Resolution be transmitted to the Governor; President of the
3 Senate; Speaker of the House of Representatives; State
4 Administrator of the Judiciary; Attorney General; Director of
5 Health; Director of Human Services; Director of Public Safety;
6 Chairperson of the Hawaii Paroling Authority; Director of
7 Planning and Permitting of the City and County of Honolulu;
8 Director of Planning of the County of Hawaii; Director of
9 Planning of the County of Maui; Director of Planning of the
10 County of Kauai; Director of Makana O Ke Akua, Inc.; Chairperson
11 of the Hawaii Substance Abuse Coalition; Executive Director of
12 the Institute for Human Services; and Executive Director of T.J.
13 Mahoney & Associates, Inc.
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OFFERED BY: _____

JW
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